

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ALEXANDER OCASIO,

Petitioner,

vs.

E. K. McDANIEL, *et al.*,

Respondents.

3:09-cv-00539-LRH-VPC

**ORDER**

This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which petitioner, a state prisoner, is proceeding pro se. On December 31, 2009, petitioner filed a motion seeking an extension of time respond to respondents' motion to dismiss, leave to conduct discovery, and issuance of a subpoena. (Docket #13.) A second copy of the same motion was also filed on December 31, 2009. (Docket #14.) Good cause appearing, petitioner's motion is **GRANTED** to the extent that petitioner seeks an extension of time. (Docket #13.) Petitioner is granted to and including February 15, 2010, to file his response to respondents' motion to dismiss.

Petitioner seeks a subpoena from this court directing the Nevada Seventh Judicial District Court Clerk to provide the following: 1) docket sheets for every state habeas corpus case filed in the Seventh Judicial District after September 22, 2008, and 2) the complete file from *Mainzer v. McDaniel*, Seventh Judicial District Court Case NO. HC 0902002. As respondents argue, these are public documents. Petitioner has made no representation that he cannot receive these documents simply by making a request directly to the clerk. Accordingly, petitioner's motion is **DENIED** to the extent that petitioner seeks to conduct discovery and seeks a subpoena from this court. (Docket

1 #13.) Petitioner's second motion filed December 31, 2009, is **DENIED** as duplicative. (Docket  
2 #14.)

3 DATED this 8<sup>th</sup> day of January, 2010.



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6 LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE  
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